

**Federal Register.** The Commission's determination regarding initiation of review investigations is due within 30 days of the close of the comment period. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request business confidential treatment under § 201.6 of the Commission's rules.<sup>6</sup> Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. Each sheet must be clearly marked at the top "Confidential Business Information." The Commission will either accept the submission in confidence or return it. All nonconfidential written submissions will be available for public inspection in the Office of the Secretary.

Copies of the non-confidential version of the request and any other documents in this matter are available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary to the Commission; telephone 202-205-2000.

Issued: May 12, 1998.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 98-13426 Filed 5-19-98; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-34,214 and NAFTA-02157]

#### **Fort James Corp., Towel and Tissue Division, Ashland, WI; Negative Determination Regarding Application for Reconsideration**

By application dated March 27, 1998, the United Paperworkers International Union (UPIU) Local 1104 requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) and NAFTA-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notices were signed on March 11, 1998. The TAA and NAFTA-TAA decisions were published in the **Federal Register** on April 3, 1998, (63 FR 16574) and (63 FR 16575), respectively.

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a mis-interpretation of facts or of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department was based on the finding that the "contributed importantly" test of the worker group eligibility requirements of section 222 of the Trade Act of 1974 was not met for workers of Fort James Corporation, Ashland, Wisconsin producing commercial napkins. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department of Labor surveyed the major declining customers of the subject firm regarding their purchases of commercial napkins. None of the respondents reported import purchases of commercial napkins in 1996, 1997 or in January 1998.

The subject firm workers were denied eligibility to apply for NAFTA-TAA based on the finding that criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act of 1974, as amended, were not met. There was no shift in production of commercial napkins from the subject firm to Mexico or Canada, nor were there company or customer imports of like or directly competitive products from Mexico or Canada.

The UPIU Local 1104 asserts that some of the machinery at the Ashland mill is scheduled for delivery to China and Europe by the end of summer 1998. The shipment or sale of production equipment to foreign countries is not a basis for a worker group certification under the Trade Act of 1974.

The UPIU Local 1104 provided import statistics for tablecloths and table napkins made of paper for 1997. This information does not substantiate import impact for workers of Fort James Corporation. There must be company or customer increases of imports of articles like or directly competitive with those produced by workers at the subject firm.

The UPIU Local 1104 asserts that during the petition investigation, the customer list provided by the company did not include all of the Fort James Corporation Ashland customers. The customer list requested by the Department and provided by company officials accounted for Ashland's major declining customers.

Finally, the UPIU Local 1104 asserts that prices for market pulp and paperboard has increased, thereby affecting company cost to compete for materials used in the production of commercial napkins. Price of raw materials to produce a product is not a basis for a worker group certification under the Trade Act of 1974.

### Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 4th day of May 1998.

**Grant D. Beale,**

*Acting Director, Office of Trade Adjustment Assistance.*

[FR Doc. 98-13419 Filed 5-19-98; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of April, 1998.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separation, or threat thereof, and to the absolute decline in sales or production.

<sup>6</sup> 19 CFR 201.6.